

**NOTICE OF PLANNING PERMISSION
TOWN AND COUNTRY PLANNING ACT 1990**

Planning No: 3/95/1289

THE NOTTINGHAMSHIRE COUNTY COUNCIL having considered an Application
by or on behalf of R J B Mining (UK) Ltd
to Stocking/Blending and Distribution of Coal
on/at Rufford Stocking Site, Rainworth
as shown on the plans submitted with the application, which application and plans and any
relevant correspondence are hereinafter referred to as "the application" hereby in pursuance of
their powers under the above mentioned Act

GRANT PERMISSION for the development in accordance with the application, subject to
compliance with the Conditions imposed and for the reasons set out below.

Conditions: ATTENTION IS DRAWN TO THE CONDITIONS PRINTED OVERLEAF AS TO
THE DURATION OF PLANNING PERMISSIONS.

1. This permission relates to the use of land for stocking, blending and distribution of coal including the retention of the existing weighbridge, coal storage building and pad loading areas within the area edged red on Drawing No. 446/D01 submitted with the application and received by the Mineral Planning Authority (MPA) on 20 November 1995. All stocking and blending operations shall be carried out only within the areas defined by black dotted lines on the submitted Drawing and in Area A shown on that Drawing, and in accordance with the terms of this permission.
2. This permission shall be for a limited period only expiring on 24 April 2011 when the uses hereby permitted shall be discontinued and buildings removed unless a renewal of this permission has previously been granted by the MPA.
3. All stocked coal shall be removed from Area B as shown on Drawing No 4661 D01 submitted with the application within one year of the date of this permission.
4. No coal shall be stocked to a height in excess of 12 metres above the ground level of the application site...
5. Vehicular access to the site shall be only via the existing colliery road from the A617 Kirklington Road, Rainworth.
6. Movement of coal by lorry into or out of the site shall be restricted to 0600 to 1800 hours Mondays to Fridays and 0600 to 1400 hours on Saturdays unless modifications to working hours have previously been agreed by the CPA.
7. Best practicable means shall be taken to limit emissions of dust from the site for the benefit of the continuing enjoyment of neighbouring land owners and occupiers. This shall include taking all or any of the following steps as appropriate:
 - (a) the use of water bowsers or sprinkler systems to dampen the operational areas and haul roads;
 - (b) the use of wheel washing facilities for all lorries leaving the site;
 - (c) the use of road sweepers along access roads.
8. Best practicable means shall be taken to ensure that noise from the operations is minimised. All plant and machinery shall be silenced at all times in accordance with the manufacturers' recommendations and reversing alarms on mobile plant operating on the site shall be fitted to be of the "low frequency" type.

9. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank plus 10%. All filling points, vents and sight glasses must be located within the bund. There must be no drain through the bund floor or walls.

10. There shall be no discharge of trade effluent, sewage effluent or contaminated drainage from the site into any ditch or watercourse.

11. The public bridleway along Inkersall Lane within the boundary of the site shall be maintained at all times free of obstruction with a surface suitable for the safe passage of horses and pedestrians to the satisfaction of the MPA.

Restoration

[Note: Reasons given for 12 - 21: "To facilitate the comprehensive restoration of the site including the proper use and treatment of soils and drainage arrangements".]

12. Within 6 months of the date of this permission, operations shall commence on the Spring Hill Site shown hatched yellow on the submitted Drawing to restore it to heathland in accordance with the details set out in Page 21 of the statement accompanying the application.

13. Within six months of the expiration of this permission or the cessation of the use of any part of the site for stocking, blending or distribution of coal, whichever is the sooner, a restoration plan for the whole site shall be submitted to for prior approval by the MPA.

14. The site shall be restored primarily to woodland and heathland within one year of the approval of the scheme referred to in Condition 13 above in accordance with that scheme and in accordance with Conditions 15-21 below, unless otherwise agreed in writing by the MPA.

15. All coal and surfacing materials shall be removed from the site and the underlying sand ripped to relieve compaction.

16. Soils shall be placed above the ripped area to a total depth of not less than 300mm (sic) on those areas proposed for restoration to heathland, and not less than 800mm on those areas proposed for restoration to tree planting and according to the following specification:

- (a) a drainage layer of coarse material spread to a depth of between 100mm and 200mm; and
- (b) soil or soil-making materials spread above the drainage layer referred to in (a).

17. Prior to subsoiling, soiling and cultivation an adequate number of samples of restoration materials shall be analysed in sequence to assess fertiliser, lime and other ameliorants required to promote appropriate heathland and woodland restoration.

18. The result of the analyses referred to in Condition 17 above shall be supplied to the MPA and details of treatment, seed mixture and rate of application to be carried out in sequence shall be approved in writing by the MPA prior to their application.

19. Upon approval of the details referred to in Condition 18 the areas to be restored shall be sown with seed in accordance with the approved details in the first available sowing season following the spreading of soils.

20. If on any part of the restored area satisfactory plant growth is not obtained as a result of the initial sowing, such parts shall be cultivated and re-seeded after correction of any nutrient deficiency or toxicities during the sowing season. This work shall be repeated until the vegetation cover is established to the satisfaction of the MPA.

21. Tree and shrub planting shall be carried out in accordance with the scheme approved in Condition 13 above, and in accordance with details or species, planting height numbers and spacing of trees and hedgerows to be submitted to for approval by the MPA prior to their planting.

Aftercare

[Note: Reasons given for 22 - 24: "To bring the land to the required standard for amenity / forestry use".]

22. Not less than 3 months prior to compliance with Conditions 12 and 14-21 above an aftercare scheme for the first five years following restoration of any part of the site shall be submitted to, for approval by, the MPA. Such a scheme shall specify the steps which may be required to bring the land to the required standard for woodland and heathland purposes. These steps will include the following:

- (a) cultivations;
- (b) sowing of seed mixtures;
- (c) control of invasive species;
- (d) analysis of restoration materials to assess nutrient levels and physical properties;
- (e) measures to correct deficiencies or problems identified in (d) above;
- (f) installation of drainage;
- (g) management practices such as vegetation cutting;
- (h) erection and maintenance of fences;
- (i) keeping of records and an annual review of performance and proposed operations for the coming year, to be submitted between 31 October and 31 December of each year.

23. An annual review of performance of the tree planted areas shall be undertaken, and the results submitted to the MPA before 31 December of each year following the date of commencement. This review shall include a survey of ground levels across the site and include records of replacement trees and management proposals for the coming year.

24. Should the results of the review referred to in Condition 23 above indicate that the plans approved in accordance with Condition 13 above have not been adhered to, the CPA may require, by written request, a revised phasing and restoration scheme. This scheme shall be submitted to, for approval by, the CPA within 3 months of the written request being made.

signed on behalf of Nottinghamshire County Council
Director of Planning & Economic Development
by Neil Hunt

[continued - see excerpt below]

Excerpt from Pages 21 - 23 of The Statement to Accompany Planning application for Continued Coal Stocking and Blending Operations at Rufford Colliery, Nottinghamshire Application Number CMA951289 submitted by RJB Mining (UK) Ltd. 27th November 1995

12. Site Restoration

12.1 Greenwood Community Forest

The application site lies within the Greenwood Community Forest area in which an initiative was set up in 1991 to increase the coverage of woodland in Nottinghamshire. This is being undertaken by creating a rich mosaic of habitats and productive land uses within a predominantly wooded landscape. The Forest will encompass farmland, villages and other settlements a myriad of wildlife habitats, public open spaces and both commercial and amenity forestry.

12.2 The Rufford site is identified as being within the northern sandlands area of the Community Forest in which remnant heathland habitats are characteristic. The proposals for this area include "identifying opportunities to manage and create areas of heathland with scattered oak and birch."

12.3 It is therefore proposed to establish an area of heathland on the Spring Hill site.

12.4 The restoration of the overall Rufford site, including the tip area, will be undertaken progressively depending on the future operational requirements. As previously mentioned the Spring Hill area is being restored to safeguard the adjacent SSSI.

12.5 It is proposed to try and establish a lowland acid heathland type community on this 7.5 ha area which will ultimately provide a continuation of the ecological interest on the adjacent land. This type of habitat is native to the acid soils of the coal measures, shown by the regeneration of heathland type communities on soils already stripped and stored on the site.

The restoration of the Spring Hill will involve:

- a) Removal of remaining coal on-site by scraped to expose underlying sand layer.
- b) Scarification of the surface left by stocking operations to relieve compaction produced by excess trafficking.
- c) Respreading of soils stored around the Spring Hill area containing regenerated heathland vegetation and thus a seedbank of appropriate indigenous species.
- d) Grading down of the storage bund adjacent to existing SSSI to retain part of the heathland community already regenerated on this area of the site.

12.6 Future Management of Restored area

It is the Company's intention that once successful reinstatement of the heathland is underway on the Spring Hill site the land could be transferred to an appropriate body to be managed in the long term in conjunction with the existing heathland area.

12.7 Restoration of the Remainder of the Site

It is intended that the remainder of the site will be restored to a heathland and oak-birch woodland once the coal stocking operations have ceased. It is not possible to set out an accurate timescale for the final reinstatement as the operational lifespan of Rufford is dependent on other operations.

12.8 The company is currently discussing the overall restoration strategy for the Rufford site, including the tip areas, with the County Council and the Nottinghamshire Wildlife Trust. The Trust manage the adjacent Rainworth Heath SSSI and have extensive experience of heathland sites.

12.9 The materials in the tip are predominantly acidic in nature with varying degrees of porosity from water-logged to free-draining. This provides opportunity to try to recreate a mosaic of vegetation communities indigenous to the Sherwood Forest Natural Area with its unique ecology. The creation of lowland heath and areas of oak-birch woodlands concords with the aims of not only the County's Lowland Heath Strategy, but also the strategies of the Greenwood Community Forest and the Sherwood Initiative.

12.10 Whilst it is clear that "woodlands" and "heathlands" cannot be instantly created, the principal component species of the communities can be established. Time and appropriate management will then encourage natural colonisation by a greater diversity of species.

12.11 Given the location of Rufford on the coal measures and Bunter sandstone the following communities are appropriate.

12.12 Rainworth Heath SSI is mainly a Ling (*Calluna vulgaris*) dominated heathland with a significant component of wavy hair grass (*Deschampsia flexuosa*) and sheeps fescue (*Festuca ovina*), in accordance with the NVC H9. The sand available from the adjacent quarry will be spread over this area, to create suitable conditions. Scattered clumps of gorse (*Ulex europaeus*) and Broom (*Cystisus scoparius*) will be planted to increase the structural and species diversity. In the less permeable areas where the substrate will lie wet for part of the year, the cross-leaved heath (*Erica tetralix*) community (M16) will be appropriate.

12.13 This vegetation is dominated by cross-leaved heath in association Ling and purple moor grass (*Molinia caerulea*). Although *Sphagnum compactum* is also a significant member, it may not be possible to establish this at an early stage. This community is rare and fragmented in Nottinghamshire due to land use and management changes. It is particularly important that it is conserved and extended where possible. Small areas of such wet heath are present on Rainworth Heat SSSI, unusually in association with M25 *Molinia caerulea* - *Potentilla erecta* mire. The degree of water-logging and slightly anaerobic conditions present on parts of the tip will aid natural colonisation by such mire species and possibly a degree of bog formation in the long term.

12.14 Areas of acidic grassland will be second to compliment the heathland mosaic, these will also increase the potential for management of the land by extensive grazing in the long term. The semi-natural grasslands in the area generally fall into the U1 and U2 NVC communities and are often transitional between the two. Thus sheeps fescue (*Festuca ovina*), common bent (*Agrostis capillaries*) and wavy hair grass (*Deschampsia flexuosa*) are appropriate dominant species that can be sown with a mixture of other indigenous grasses and herbs appropriate for the conditions. Where possible, seed used for heath and grassland will be locally sourced.

12.15 There is potential to create broadleaved woodland that will develop to compliment the surrounding Sherwood Forest. The free-draining, acidic slopes of the spoil are difficult conditions for many trees, hence a simple plantation based on the oak-birch (*Quercus spp* - *Betula spp*) W16 NVC community would be appropriate. Sherwood Forest is notable both in a National and European context for its sessile oaks (*Quercus petraea*) of great age and their associated invertebrate populations, hence the use of seed stock from the unique woodlands around would be important for this restoration. Other sub-dominant species such as rowan (*Sorbus aucuparia*) and downy birch (*Betula pubescens*) can also be locally sourced.

12.16 In summary, this restoration proposal has been designed to make most effective use of available substrate materials to create a landscape that is appropriate in ecological, cultural and land use terms. The habitats of the Sherwood Forest Natural Area are unusual and in some cases unique and should be conserved and enhanced. The restoration strategy for Rufford offers an opportunity to extend these valuable communities and to create diversity of both species and habitats on land that has been degraded for many years.